

MEMO ENDORSED

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
In re VEECO INSTRUMENTS, INC. :
SECURITIES LITIGATION :
----- X
----- X
THIS DOCUMENT RELATES TO :
ALL ACTIONS :
----- X

Case No.: 7:05-md-01695 (CM)(GAY)

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: _____

**NOTICE OF MOTION AND MOTION FOR PARTIAL
RECONSIDERATION OF THE COURTS MARCH 9, 2007 ORDER**

PLEASE TAKE NOTICE that, upon the papers to be filed with this Court, and all prior papers and proceedings herein, Lead Plaintiff, by their counsel Berger & Montague, P.C., shall respectfully move this Court, before the Honorable Colleen McMahon, United States District Judge, at a date and time to be determined by the Court, for an Order, pursuant to Rule 6.3 of the Local Civil Rules of the Southern District of New York, granting partial reconsideration of the Court's March 9, 2007 Decision and Order Denying Lead Plaintiff's Motion to Vacate and Reverse the Discovery Order of Magistrate Judge George A. Yanthis Dated January 24, 2007.

Lead Plaintiff seeks partial reconsideration of the Court's March 9, 2007 Decision and Order for the reasons set forth in its supporting Memorandum of Law which is fully incorporated herein by reference.

PLEASE TAKE FURTHER NOTICE that Lead Plaintiff will rely on the supporting Memorandum of Law, Declaration of Jeffrey L. Osterwise, and accompanying Exhibits filed herewith.

3/28/07
 Defendant must file a response to the motion
 by 5pm on Friday, March 30. I will see
 counsel in White Plains next Wednesday morning
 at 9 AM! Colle Dmhl

Dated: March 23, 2007

BERGER & MONTAGUE, P.C.

By:



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